

ENTERED

October 31, 2024

Nathan Ochsner, Clerk

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re

Refreshing USA, LLC,

Debtors.¹

Chapter 11

Case No. 24-33919 (ARP)
(Jointly Administered)

**ORDER GRANTING DEBTORS' EMERGENCY *NUNC PRO TUNC* MOTION FOR
ORDER AUTHORIZING PAYMENT OF WAGES, SALARIES, COMPENSATION,
EXPENSES, BENEFITS, AND RELATED TAXES INCURRED BEFORE OCTOBER 2,
2024; AND TO CONTINUE EMPLOYEE BENEFITS ON AND AFTER OCTOBER 2,
2024**

THIS MATTER having come before the Court on Debtors' *Nunc Pro Tunc* Emergency Motion for Order Authorizing Payment of Wages, Salaries, Compensation, Expenses, Benefits, And Related Taxes Incurred Before October 2, 2024; and to Continue Employee Benefits On and After October 2, 2024 (the "Motion") [ECF No. 82]; the Court having reviewed the Motion and the Declaration of Eric Camm in support of the Motion, and having considered the statements of counsel at a hearing before the Court (the "Hearing"); and the Court having found that (1) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (2) venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; (3) this is a core proceeding pursuant to 28 U.S.C. § 157(b); and (4) notice of the Motion and the Hearing was sufficient under the circumstances; and after due deliberation the Court having determined that the relief requested in


¹ Debtors and debtors-in-possession in these Chapter 11 cases ("Bankruptcy Case(s)"), along with the last four digits of their respective Employer Identification Numbers, are as follows: Refreshing USA, LLC (85-3358945) ("Refreshing"), Case No. 24-33919; Water Station Management LLC (81-1202716) ("Water Station"), Case No. 24-33924; and Creative Technologies, LLC (46-2581888) ("Creative" and, together with Refreshing and Water Station, "Debtors"), Case No. 24-33934. Debtors' mailing address is: 2732 Grand Ave., Ste. 122, Everett, WA 98201.

the Motion is in the best interests of Debtors, their estates, and the creditors; and good and sufficient cause having been shown; now, therefore,

IT IS HEREBY ORDERED that:

- 1) Debtors' already-paid October 10, 2024 payroll for the period September 7, 2024 to September 27, 2024, including the amounts set forth on **Exhibit A**, is authorized *nunc pro tunc*.
- 2) Debtors are authorized to continue existing employee benefits on and after October 2, 2024.
- 3) With respect to obligations incurred before October 2, 2024 and paid on or after October 2, 2024, Debtor will not pay with respect to any individual employee more than the \$15,150 priority amount provided by 11 U.S.C. §§ 507(a)(4) and (a)(5).
- 4) Fifth Third Bank is hereby ordered and directed to honor all checks or electronic transfers issued for payment of the obligations described above.
- 5) The requirements of Bankruptcy Rule 6003(b) have been satisfied with respect to the payments authorized by this Order.
- 6) Pursuant to Bankruptcy Rule 6004(h), this Order shall be immediately effective and enforceable upon its entry.

Signed: October 31, 2024


Alfredo R Pérez
United States Bankruptcy Judge

Gross Earnings Subject to Court Approval

	Pay Date	10/10/2024
Employee ID	Entity	9/7/2024 - 9/20/24
316	Refreshing USA	\$ 5,265.16
5005	Refreshing USA	\$ 3,180.00
5010	Refreshing USA	\$ 2,676.92
564	Refreshing USA	\$ 6,869.41
149	Refreshing USA	\$ 1,651.00
168	Refreshing USA	\$ 3,076.92
5007	Refreshing USA	\$ 1,057.50
9312	Refreshing Arizona	\$ 3,000.01
404	Refreshing Arizona	\$ 1,851.40
216	Refreshing Arizona	\$ 1,540.77
70005	Refreshing Arizona	\$ 359.73
5012	Refreshing Arizona	\$ 2,084.27
750	Refreshing Arizona	\$ 1,500.00
70006	Refreshing Arizona	\$ 1,569.22
749	Refreshing Arizona	\$ 2,115.38
311	Refreshing Florida	\$ 5,472.17
7017	Refreshing Florida	\$ 600.00
7001	Refreshing Florida	\$ 1,840.00
7011	Refreshing Florida	\$ 302.88
257	Refreshing Florida	\$ 2,000.00
279	Refreshing Florida	\$ 2,115.39
461	Refreshing Great Lakes	\$ 2,692.30
371	Refreshing Great Lakes	\$ 562.78
185	Refreshing Great Lakes	\$ 184.32
10046	Refreshing Great Lakes	\$ 376.20
534	Refreshing Great Lakes	\$ 2,756.92
130	Summit Management Services LLC	\$ 1,923.08
726	Summit Management Services LLC	\$ 1,391.18
180	Summit Management Services LLC	\$ 1,787.30
60006	Summit Management Services LLC	\$ 1,500.40
Total Gross Earnings		\$ 63,302.61
		\$ -

Gross Earnings Subject to Court Approval

	Pay Date	10/10/2024
Employee ID	Entity	9/14/24-9/27/24
156	Refreshing Midwest	\$ -
350	Refreshing Midwest	\$ 2,550.00
183	Refreshing Midwest	\$ 1,231.84
238	Refreshing Midwest	\$ -
278	Refreshing Midwest	\$ -
115	Refreshing Texas LLC	\$ 2,050.00
2002	Refreshing Texas LLC	\$ 3,126.92
2058	Refreshing Texas LLC	\$ -
179	Refreshing Texas LLC	\$ 1,450.00
197	Refreshing Texas LLC	\$ -
247	Refreshing Texas LLC	\$ -
733	Refreshing Texas LLC	\$ 1,650.00
275	Refreshing Texas LLC	\$ -
287	Refreshing Texas LLC	\$ -

288	Refreshing Texas LLC	\$	1,650.00
182	Refreshing Texas LLC	\$	2,060.68
191	Refreshing Texas LLC	\$	-
203	Refreshing Texas LLC	\$	-
735	Refreshing Texas LLC	\$	1,776.05
2604	Refreshing Texas LLC	\$	360.14
223	Refreshing Texas LLC	\$	1,915.39
497	Refreshing Texas LLC	\$	2,357.70
2031	Refreshing Texas LLC	\$	135.05
148	Refreshing Texas LLC	\$	2,550.00
2003	Refreshing Texas LLC	\$	1,890.00
2001	Refreshing Texas LLC	\$	-
252	Refreshing Texas LLC	\$	-
2040	Refreshing Texas LLC	\$	-
729	Refreshing Texas LLC	\$	-
2009	Refreshing Texas LLC	\$	1,036.70
552	Refreshing Texas LLC	\$	538.34
348	Refreshing Texas LLC	\$	342.79
550	Refreshing USA	\$	3,727.62
375	Refreshing USA	\$	-
1007	Refreshing USA	\$	2,000.00
370	Refreshing USA	\$	1,004.41
324	Refreshing USA	\$	2,742.31
1002	Refreshing USA	\$	4,280.77
644	Refreshing USA	\$	1,630.48
196	Refreshing USA	\$	2,550.00
306	Refreshing USA	\$	2,473.08
51	Refreshing USA	\$	4,701.91
1001	Refreshing USA	\$	3,511.54
1008	Refreshing USA	\$	2,307.70
314	Refreshing Washington LLC	\$	2,269.23
224	Refreshing Washington LLC	\$	2,190.00
230	Refreshing Washington LLC	\$	2,634.81
325	Refreshing Washington LLC	\$	1,758.48
120001	Refreshing Washington LLC	\$	1,408.00
267	Refreshing Washington LLC	\$	2,365.00
430	Refreshing California	\$	2,042.82
4018	Refreshing California	\$	1,586.80
438	Refreshing California	\$	2,842.31
451	Refreshing California	\$	1,047.30
447	Refreshing California	\$	-
526	Refreshing California	\$	2,022.90
4017	Refreshing California	\$	1,183.44
443	Refreshing California	\$	3,126.92
514	Refreshing California	\$	3,102.94
420	Refreshing California	\$	2,627.12
150	Refreshing Georgia	\$	2,850.00
174	Refreshing Georgia	\$	2,490.00
205	Refreshing Georgia	\$	-
298000	Refreshing Georgia	\$	530.00
232	Refreshing Georgia	\$	2,242.31
785	Refreshing Georgia	\$	1,773.08
147	Refreshing Georgia	\$	862.20

5013	Refreshing Georgia	\$	1,810.00
8003	Refreshing Georgia	\$	2,530.00
90001	Refreshing Utah	\$	2,115.38
137	Vendpro	\$	407.50
146	Vendpro	\$	2,588.46
3005	Vendpro	\$	883.39
3009	Vendpro	\$	1,219.03
145	Vendpro	\$	1,763.00
Total Gross Earnings		\$	115,873.84
		\$	-